



BOARD OF ADJUSTMENT

MARICOPA COUNTY
Board of Supervisors' Auditorium
205 W. Jefferson Street
Phoenix, Arizona

Agenda

August 16, 2000

Call To Order 10:00 a.m. in the Board of Supervisors' Auditorium, 205 West Jefferson Street, Phoenix, Arizona.

Roll Call Board of Adjustment members

Announcements This meeting has been noticed in accordance with the Open Meeting Law (ARS §38-431).

Maricopa County has an aggressive strategy to provide accessibility for all citizens to its programs, activities, and services, as required by the Americans with Disabilities Act (ADA). The County's ADA Transition Plan, which defines architectural modifications needed in more than 250 building sites, has been completed. Removal of accessibility barriers is underway, and we are working with building owners to achieve compliance at leased facilities. Accessibility will be assured programmatically until construction has been completed. The Maricopa County Self-Evaluation is in progress. Our ADA compliance efforts are overseen by a Citizens Advisory Council.

A sign language interpreter, alternative format materials, or infra-red assisted listening devices are available with 72 hours notice. Additional reasonable accommodations will be made available to the extent possible within the time frame of the request.

The Staff Reports prepared for each agenda item shall become a part of the permanent record for each case acted on at the Board of Adjustment meeting. Any material submitted as part of the record for a case will not be returned.

Public demonstrations of any kind by principals, witnesses, or spectators at any hearing before this Board, including cheering, booing, hand clapping, or the interruption of the hearing by voluntary remarks from the audience shall be strictly forbidden, and any person or persons who shall continue to participate in such conduct after having once been admonished for such conduct, shall be subject to being ejected from the hearing room by order of the Chairman.

Upon approval of a request, the applicant should be advised that the authority of the Board of Adjustment is established, governed and limited by the provision of ARS §11-807 and has to do with Planning and Zoning Ordinances and standards of Maricopa County. The Board does not purport to settle or determine or advise concerning other matters that may have application to rights to use real property.

All Actions by the Board of Adjustment are final unless an appeal is filed with Superior Court within thirty (30) days of the Board's decision.

Results of the Board's action shall be available for the purpose of obtaining zoning clearances 24 hours after completion of the Board hearing.

A transcript of the Maricopa County Board of Adjustment meeting of this date may be found in the mechanical recording made by a tape recorder. Said transcript is entitled "Board of Adjustment Minutes - Month, Day of Hearing, Year," and is on file for 6 months following the hearing in the office of the Maricopa County Department of Planning and Development. Copies of the tapes will be made at no charge upon request provided that 90-minute tapes are furnished.

Every witness for a Variance, Interpretation or Temporary Use Permit shall be limited to a maximum of 10 minutes. Rebuttal by the applicant shall be limited to a maximum of 5 minutes.

Standard
Conditions

All agenda items shall be subject to the following:

- 1) Satisfaction of all applicable Maricopa County Zoning Ordinance requirements and Building Safety codes.
- 2) General compliance with the site plan submitted with the application.
- 3) All required building permits shall be applied for within 120 days of the hearing date unless otherwise directed by the Board. Failure to obtain any required building permit within the specified time, or to complete necessary construction within one year from the date of approval, shall negate the Board's approval, except for Appeals of Temporary Use Permits for temporary housing which may allow two years to complete construction from date of approval.
- 4) All conditions set forth by the Board of Adjustment shall be complied with prior to the Department of Planning and Development finalizing any building permit or issuing a Certificate of Occupancy, whichever is applicable.

Consent Agenda

Items listed on the Consent Agenda are considered routine by the Board of Adjustment and may be enacted in one motion. Any item on the Consent Agenda may be removed from the Consent Agenda and be held for public hearing as indicated on this Agenda if a Board member or a citizen so desires.

CONSENT AGENDA

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|-----------|-------------------|------------------------------------|
| 1. | BA 2000049 | District 1 |
| | Applicant: | Richard F. & Mary L. Root |
| | Address: | 26007 S. Glenburn Drive, Sun Lakes |
| | Zoning: | R1-6 R.U.P.D. |

Request: **Variance to permit** proposed lot coverage of 43% where 40% is the maximum allowed (0.18 acres).

2. BA 2000050 District 1

Applicant: Kerry Barton

Address: 2142 W. Comstock Drive, Chandler

Zoning: Rural-43

Request: **Variances to permit:** **1)** proposed lot coverage of 20.5% where 15% is the maximum allowed; and **2)** a proposed accessory structure to setback 14' from the side (west) property line where 30' is the minimum required (0.8 acres).

3. BA 2000053 District 5

Applicant: Monica Preston

Address: 7025 W. Lower Buckeye Road, Phoenix

Zoning: Rural-43

Request: **Variance to permit** a proposed single-family residence to setback 18' from the side (east) property line where 20' is the minimum required (0.41 acres).

CONTINUED CASES

4. BA 2000015 District 1

Applicant: James L. Chapp

Address: 9358 E. Des Moines Street, Mesa

Zoning: R1-8

Request: **Variances to permit:** **1)** an existing 8' block cement wall in the R1-8 zoning district where 6' is the maximum allowed; **2)** an existing storage building with a separation distance of 3'6" between buildings where 15' is the minimum required (0.19 acres).

5. BA 2000028 District 2

Applicant: Arthur Freeman

Address: 2717 E. Lehi Road, Mesa

Zoning: Rural-43
Request: **Variances to permit:** 1) a proposed lot area of 41,250 sq. ft (0.95 acre) where 43,560-sq. ft. (1 acre) is the minimum required; and 2) a proposed lot area of 41,250-sq. ft. (0.95 acre) where 43,560-sq. ft. (1 acre) is the minimum required (3.33 acres).

6. TU 2000025

District 2

Applicant: Edward & Nancy Rudd
Address: 5448 E. Akron Street, Mesa
Zoning: R1-6 S.C.
Request: **Appeal of a Temporary Use Permit** to establish occupancy by an underage person in a Senior Citizen Overlay Zoning District (0.17 acres).

REGULAR AGENDA

7. BA 2000048

District 1

Applicant: Carlos & Mary Shultz
Address: 2038 W. Mesquite Street, Chandler
Zoning: Rural-43
Request: **Variances to permit:** 1) an existing charter school to provide 5 parking spaces where 9 parking spaces are required; and 2) the removal of all required striping in the parking area (0.702 acres).

8. BA 2000051

District 5

Applicant: Rose C. Ybarra
Address: No street address – approximately one-sixth of a mile south of Baseline Road, west of 29th Avenue, Phoenix area
Zoning: Rural-43
Request: **Variance to permit** an existing lot width of 143.89’ where 145’ is the minimum required (2.13 acres).

9. BA 2000052

District 1

Applicant: Frank Setzler
Address: 14646 S. 140th Place, Gilbert
Zoning: Rural-43

Request: **Variance to permit** an existing lot area of 43,552-sq. ft. where 43,560-sq. ft. is the minimum required (0.999 acres).

10. BA 2000054

District 1

Applicant: Russ Harmon
Address: 16115 E. Frye Road, Gilbert
Zoning: Rural-43
Request:

Variance to permit an existing accessory structure to setback 12' from the side (east) property line where 30' is the minimum required (1.003 acres).

Minutes: None

Other Business: None

Adjournment: